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Promotion and protection of all human rights, civil, political, economic, social and cultural rights, including the right to development

Written statement* submitted by the Society for Threatened Peoples, a non-governmental organization in special consultative status

The Secretary-General has received the following written statement which is circulated in accordance with Economic and Social Council resolution 1996/31.

[30 August 2015]

* This written statement is issued, unedited, in the language(s) received from the submitting non-governmental organization(s).

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Ongoing oppression of minorities in Sri Lanka

I. Executive Summary

The new Sri Lankan government elected in January 2015 has made some positive achievements regarding human rights. But the oppression of the Tamil minority is still going on. The situation of Tamils in Sri Lanka did not really improve. Also the culture of impunity did not stop. Tamils are still being abducted, tortured and sexually abused by the security forces. A growing concern is the economic development and the exclusion of local communities, especially minorities, from it. Tourism projects for example violate the human rights of the local communities. The latter hardly benefit from the tourism industry.

II. Situation of Tamils in 2015

The Tamil part of the Sri Lankan population overwhelmingly voted for Maithripala Sirisena at the Presidential Election in January 2015. They believed that through a change of government their difficult situation would improve. Sirisena promised in his manifesto to ensure the protection of human rights. The new Sri Lankan government improved the dialogue on human and minority rights, but most improvements unfortunately remain on paper so far. The Government of Sri Lanka (GoSL) has not abolished the draconian Prevention of Terrorism Act (PTA) which allowed security forces to arrest people without charge. The investigation on disappeared people does still not focus on truth and justice but on compensation. Militarization, especially in the North, remains high. The military became very active in the private sector. Tamil journalists who criticize police and security forces are being harassed, intimidated and disrupted in their work. Returning Tamils from abroad continue being arrested at the airport. The surveillance of the civil society in the North and East is remaining high. No political solution is in sight nor has there been a credible process aiming at a solution for the Tamil question.

Land issues in Tamil dominated areas

A lot of land in Tamil dominated areas is still occupied by the military. Many Tamils are waiting to return to their original land. Some, like the former inhabitants of Kankesanthurai, have been displaced for since 25 years. It is quite disturbing that in Kankesanthurai the army is running a tourist-hotel. Parts of the occupied land have been released. But even the resettlement process is deceptive because the inhabitants are being subjected to military encampment. The Tamil returnees in Valalai, which was part of the High Security Zone on the Jaffna peninsula also have no sanitary facilities, no drinking water and no toilet. While they were allowed to go back, it was as if the message was "go/return at your own expense and risk". They need basic home-based sanitary facilities, especially for the women and girls in order to achieve a basic level of dignity in their renewed lives.

III. Ongoing Abductions, Torture and Sexual Abuse in 2015

Independent reports revealed that even under the new government abductions, torture and sexual abuse by the security forces continue. Government officials have confirmed the past existence of "white van" abductions by the security forces. They claim that they have put an end to "the white van culture". However, at least eight cases of torture since the presidential election in January 2015 have been reported. Human rights organisations assume that the real number is much higher. The documented cases occurred in the North as well as in the capital. The tortured witnesses described a familiar pattern of abduction in "white vans" as during the time of the former regime. The escaped victims state that their families have been questioned and harassed after they left the country. The GoSL did not put an end to the culture of impunity so far.

IV. Tourism and Human Rights

Sri Lanka is a booming tourist destination. In 2014, 1.5 million people visited the island. Unfortunately, the local communities hardly benefits from the increasing number of tourists. Fishermen already lost their jobs or are at a high risk to lose their livelihood due to tourism projects. There has also been landgrabbing for tourism purposes.

Security Forces and tourism

The military is focusing on tourism with the army, navy and air force opening hotels and increasingly offering tourist activities. In September 2014, Hewawithanage Laal Perera, Lieutenant Commander of the Eastern province, asserted at

a meeting the armed forces' intention to manage over 150 hotels all over the country in the years to come. The provision of tourism opportunities by the military is highly problematic because it deprives the local population of an important source of income. Members of the military working in tourism receive their salaries directly from the military department. In return, the military sector secures a lucrative additional income through the tourism sector and is thus able to provide packages at lower prices than the private sector. The employees present themselves quite openly as members of the military, with some even wearing uniforms. The profits made from these tourist deals present a further concern because of the lack of transparency regarding their use.

Local communities and tourism

The GoSL has chosen three areas where tourism should be particularly promoted: Kuchchaveli, Passikudah and Kalpitiya. These areas are ethnically very diverse and were rarely frequented by tourists during the civil war. In all three regions even the government's low development standards have scarcely been implemented. Environmental and social impact assessments take place only sporadically. Little is known about the findings. The local population is not consulted about the planning of tourism projects. Hotels and resorts block access to the sea, thus massively encroaching on the livelihood of local fishermen and enables them to continue their traditional way of living. Land grabbing became more frequent. Only a small part of the local population is able to make a living from tourism, since the majority of hotel employees is coming from other Sri Lankan regions. No educational opportunities exist for the local population to cater to the needs of the hotels. Public facilities have had to make way for tourism projects.

V. Key Findings

The oppression of the Tamil minority in Sri Lanka keeps going on. Under the new government the situation of the Tamils has not really improved. Even cases of abduction, torture and sexual abuses by the security forces continue to occur. The GoSL did not end the culture of impunity.

The tourism development results in human rights violations. The minorities are being excluded from development. The coastal communities in the North and East are in great danger to lose or already lost completely their livelihood. Also land has been grabbed for tourism projects.

VI. Recommendations

Society for Threatened Peoples calls on the Human Rights Council to call on the GoSL to address the needs of Tamils for a real reconciliation process and a peaceful solution of the conflict.

VII. References

- Society for Threatened Peoples, Minority Rights in Sri Lanka: Progress or blind spot? Review of Maithripala Sirisena's 100 day work programme, April 2015.
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